

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

1/5/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CV NO. 01-00555MEA-KSC AND CV NO. 02-00223MEA-KSC

### (CONSOLIDATED HEARINGS)

CASE NAME: Matthew Harrell Vs. City & County of Honolulu, et al.

ATTYS FOR PLA: Andre Wooten

ATTYS FOR DEFT: Moana Yost  
Derek T. Mayeshiro  
Jane Kwan

INTERPRETER:

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JUDGE: Marvin E. Aspen

REPORTER: Sharon Ross

DATE: 1/5/2006

TIME: 8:54am-12:00  
1:30pm-4:00pm

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COURT ACTION: EP: Further Jury Trial (2<sup>nd</sup> Day)-Plaintiff present, Defendants Aaron Mahi, Robert Larm, Sanford Masada and Wayne Oshima-Representative of the Royal Hawaiian Band all present and Seven (7) Jurors present. (Please Note-Juror Stephen Love was excused on 1/4/2006.)

Opening Statements on behalf of the Plaintiff and the Defendant.

Plaintiff Witnesses-Aaron Mahi-CST and Robert Larm-CST.

Further Jury Trial (3<sup>rd</sup> Day) continued to 1/6/06 @9:00 a.m. before Judge Aspen.

8:54am-8:59am --Status Conference-regarding Plaintiff's Oral Request for Mistrial. Court gives a briefing schedule regarding this Oral Motion. Plaintiff to file a Motion for Mistrial with supporting documents by tomorrow morning. Defendants' to file a Reply by Monday Morning.

Further Jury Trial (3<sup>rd</sup> Day) continued to 1/6/06 @9:00 a.m. before Judge Aspen.

Submitted by Leslie L. Sai, Courtroom Manager